IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 3348 OF 2002

IN

SUIT NO. 4462 OF 1995

ICICI Limited ..Plaintiff / Applicants

versus

M. R.Thacker & Ors. ..Defendants

Mr. F. Sayyed i/b. M. K. Ambalal & Co. for the Plaintiff.

Mr. Gautam Wadikar for the Defendant No.2.

CORAM : D. G. DESHPANDE,J.

DATE : 1ST OCTOBER 2004.

P.C. :

1. This notice of motion is taken out by the Defendant No.3. Nobody is present for the defendant No.3. Counsel for the Plaintiff and Defendant Nos. 2 are present. Counsel for the Plaintiff states that the defendant No.3 was a guarantor. However the amount due from the principal borrower has been recovered by the plaintiff bank and they are not going to proceed against defendant No. 3. In view of the statement, nothing survives in the notice of motion. It is disposed of accordingly.

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